HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

Writ Petition No. 26886 of 1996

Between

P.Anil Kumar and another ..Petitioners

AND

The Commissioner of Endowments, Government of Andhra Pradesh and another ..Respondents

:: JUDGMENT ::

9.3.2007

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

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Writ Petition No. 26886 of 1996

Two petitioners have filed this writ petition seeking relief as under:

> "For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court be pleased to issue a writ, order or direction more in the nature of mandamus declaring the action of the Respondent No.2 in issuing the impugned proceedings in Rc.No.SVBSD/1/96 dated 12.12.1996 under the directions of the 1st respondent as illegal and void and consequentially to direct the Respondents to continue the petitioners as Shashvatha Chanda Pujaris of Sri Veerabhadra Swami Vari Temple, Korivi, Warangal District with all consequential benefits and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."

On behalf of the Commissioner of Endowments, counter affidavit has been filed in which it has been stated that the cadre strength of the subject temple was fixed at three posts viz., one Archaka and two Upa Mukhya Archakas on 7.1.1999 and that the petitioner No.1 has been appointed as Upa Mukhya Archaka in the time scale attached to the post on 12.1.1999 and he has already joined duty and is working as such. It has been asserted that two other qualified persons are also appointed against the other two sanctioned posts. Thus, the petitioner No.1 had no further grievance to ventilate in the above matter.

Further, the second writ petitioner did not turn up for performing any duties in the temple and he is obviously not interested even soliciting any further service in the temple. The learned counsel for the writ petitioners also submits that since the second petitioner is not evincing any further interest in the matter as set out supra, to the extent of the second petitioner is concerned, the above writ petition is not surviving, for his non prosecution. Insofar as the first petitioner is concerned, the grievance of his, is already redressed.

Hence, no further issue survives in the writ petition. It is accordingly, dismissed, but however, without costs.

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NOOTY RAMA MOHANA RAO.J.

9.3.2007
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